

1. The US Army Corps of Engineers has never demonstrated that the original levee vegetation maintenance standards were sufficiently broadly applicable to all portions of the country. In particular, standards promulgated for the Midwest have been inappropriately applied to the greater western United States. The fact that many western communities are adversely affected and are in disagreement with the original rule is substantial proof. **THE USACE SHOULD BE REQUIRED TO REVISE ITS ORIGINAL LEVEE VEGETATION STANDARDS, NOT TO FURTHER COMPLEXIFY THE ISSUE WITH A NEW RULE TO APPLY FOR A VARIANCE.**

2. Local agencies should not be required to adhere to existing levee vegetation maintenance standards while a variance is being sought. Otherwise, massive damage may occur due to clearing native vegetation before the variance is granted, which would render the variance moot. **THERE SHOULD BE A MORATORIUM ON IMPLEMENTING THE EXISTING STANDARDS UNTIL THE VARIANCE PROCEDURES ARE FINALIZED.**

3. The variance process is generally too onerous for any local agency or sponsor to comply with, thus ensuring that no variances are likely to ever be granted. The number of steps, costs, and complexities are appropriate in scale for a federal agency. **THEREFORE, THE LOCAL USACE DISTRICTS SHOULD BEAR THE RESPONSIBILITIES FOR COST AND ENGINEERING, AND NOT LOCAL GOVERNMENTS OR SPONSORS.**